



TOWN OF GOLDEN BEACH

One Golden Beach Drive
Golden Beach, FL 33160

Official Minutes for the August 21, 2012 Regular Town Council Meeting called for 7:00 P.M.

A. MEETING CALLED TO ORDER

Vice Mayor Rojas called the meeting to order at 7:15 p.m.

B. ROLL CALL

Councilmember's Present: Vice Mayor Amy Isackson-Rojas, Councilmember Judy Lusskin, Councilmember Kenneth Bernstein, Councilmember Bernard Einstein

Councilmember's Not Present: Mayor Glenn Singer

Staff Present: Town Manager Alexander Diaz, Town Clerk Lissette Perez, Police Chief Donald W. De Lucca, Finance Director Maria D. Camacho, Town Attorney Steve Helfman (showed up late)

C. PLEDGE ALLEGIANCE

Police Chief led the Pledge of Allegiance

D. PRESENTATIONS / TOWN PROCLAMATIONS

Officer of the Quarter – postponed until next meeting

Employee of the Quarter – postponed until next meeting

The Town Manager made a quick presentation regarding the distinguished budget award the Town received for a third year in a row, for its fiscal year 2011/12 operating and capital budget.

E. MOTION TO SET THE AGENDA

ADDITIONS/ DELETIONS/ REMOVAL OF ITEMS FROM CONSENT AGENDA/
AND CHANGES TO AGENDA

None

F. TOWN BOARD/COMMITTEE REPORTS

All of the Town's Committees recessed for the month of August. They will resume regularly scheduled meetings in September.

G. GOOD AND WELFARE

Allison and Jillian Samowitz, 250 South Island Drive

Made a presentation on Proseed2Green, the organization they have founded. They requested permanent stickers be placed on the recycling bins of each of the residents homes, regarding recycling education for residents. (Showed the Council and public sample sticker designs) They also reminded residents that an English and Spanish version of the solid waste manual is available on the Golden Beach website.

John Couriel, 268 South Parkway

A Republican nominee looking to represent this Town, and several other jurisdictions in the Florida Senate. He took a few minutes to speak about himself and his background, in order to introduce himself to the Council and residents.

Carolyn Gilson, 601 Ocean Boulevard

Sent a letter to be read into the record regarding the ordinance pertaining to the feral cat situation in Town.

H. MAYOR'S REPORT

None

I. COUNCIL COMMENTS

Vice Mayor Rojas

None

Councilman Einstein

Commended the Town Manager for the great work done on the new Strand Police Boat Dock. He wished good health and good wishes to the Meltzer family, the Young family and the Newberg family.

Councilman Bernstein

Commented on what a pleasure it is coming back and seeing everything so well organized in Town.

Councilwoman Lusskin

Asked about the stop sign near Town Hall that is no longer in place. Commended the Police Chief and Town Manager for removing the hedge at the Strand, which makes it a much safer intersection now. Mentioned hurricane shutter ordinance, and feels that the Council should revisit it regarding the rule stating that shutters cannot be left up for more than 10 days. She asked if the Town could donate a page or ½ page of the newsletter to permits.

J. TOWN MANAGER REPORT

Welcomed everyone back from summer vacation, and asked residents to be mindful of extra children in the streets. Thanked the Police Chief and Commander CaDavid for making sure that there were no incidents with this first week back to school. Town Hall was completed rewired for the new IT infrastructure. This afternoon was the police boat dock opening. The police boat dock was built at no cost to the residents. It was paid for in part by the Florida Inland Navigation District, and the balance was paid for with Law Enforcement Trust Fund dollars. The CCTV project has a completion deadline of October 1st. The Town is ahead of schedule on that project. That project is a \$698-thousand dollar project, of which zero golden beach tax and fee dollars are being used to pay for it. It is being paid for completely through LETF monies. Bridge pilings for the Town's bridge projects were tested today. That project is ahead of schedule. Thanked Eric Garcia and the Public Works team, for assisting with the redesign of all of the tiki huts at the beach. Reminded Council and residents of the two council meeting dates and times coming up in September.

K. TOWN ATTORNEY REPORT

None

L. ORDINANCES – SECOND READING

None

M. ORDINANCES - FIRST READING

1. An Ordinance of the Town of Golden Beach, Florida, Amending Chapter 66, Zoning, Specifically by Amending Article III, Entitled "District Regulations."

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER 66, ZONING, SPECIFICALLY BY AMENDING ARTICLE III, ENTITLED "DISTRICT REGULATIONS," CHANGING THE 30 FOOT FRONT SETBACK TO 35 FEET, AND DECREASING THE PERVIOUS AREA REQUIREMENTS FROM 50% TO 40% FOR THOSE EXEMPTED LOTS IN ZONE THREE; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 1
Ordinance No. 554.12

Sponsor: Town Administration

Recommendation: Motion to Approve Ordinance No. 554.12

A motion to approve was made by Councilmember Lusskin seconded by Councilmember Einstein .

On roll call, the following vote ensued:

Mayor Singer	<u>Absent</u>
Vice Mayor Isackson-Rojas	<u>Aye</u>
Councilmember Einstein	<u>Aye</u>
Councilmember Lusskin	<u>Aye</u>
Councilmember Bernstein	<u>Aye</u>

The motion passed.

Town Manager explained that when Town went through the changes of the building and zoning ordinances, this item changed where the front setback line begins. The ordinance moves the front setback to where it previously was and increases the pervious area.

Building Official Dan Neida stated that the Building Regulation Advisory Board is in essence tweaking an ordinance that was already adopted during the last round of ordinance revisions. The proposed changes are to return to the previous setback and to leave 40% of green space and 60% of building footprint. It only pertains to the Zone 3 lots. Regular lots is 35% pervious and 65% buildable.

2. An Ordinance of the Town of Golden Beach, Florida, Amending Chapter 6 “Animals.”

AN ORDINANCE OF THE TOWN OF GOLDEN BEACH, FLORIDA, AMENDING CHAPTER 6 “ANIMALS,” ARTICLE I “IN GENERAL,” SECTION 6-1 “KEEPING RESTRICTIONS,” RELATING TO THE FEEDING OF STRAY OR OWNERLESS CATS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 2
Ordinance No. 555.12

Sponsor: Councilmember Lusskin

Recommendation: Motion to Approve Ordinance No. 555.12

A motion to approve was made by Councilmember Lusskin seconded by Councilmember Bernstein.

Councilmember Lusskin stated that over the past year she has received several complaints from residents, primarily in the north end of Town, about the feral cat issue in Town. The cat excrement and smell are all over the perimeter of these residents homes. Upwards of 19 to 20 cats on Navona Avenue are surrounding these residents

homes. The residents feel it is intolerable, and frankly they're right. She understands how Carolyn Gilson feels, and she has no problem with trap and release, but when residents are leaving food bowls in the same two areas in the north end of town, it is not appropriate for a town like this. She took a step further and called Sally Heyman, the town's county commissioner, she told her the problem and Heyman agreed that it is wrong for a town like Golden Beach to be going through this.

Vice Mayor Rojas spoke, stating that she feels that there is a handful of people that are feeding the cats in question in one location, next to the property line of other residents that are coming and placing food in the same area. Empathizes with the people who are affected, because this is causing a nuisance. Homeowners who want to feed the cats should just feed them on their own property.

Councilmember Lusskin stated that what the ordinance is asking for is not for people to stop feeding the cats, it is just to feed them in a way that they will not congregate.

Town Clerk read the amended section that is being added to the ordinance.

Vice Mayor asked if a person has several outdoor cats, that are eating outdoors, who's to say that this is not a large number of outdoor cats. How are stray or ownerless cats determined? And what is the number considered to be a congregation?

Town Manager advised that if the ordinance passes on second reading, he would work with the Police Chief and Commanders to put together some implementing policies for the officers to be governed by.

Resident Eric Cohen spoke stating that it is a little more than just cat excrement outside. It is an indoor problem because his dogs have gotten fleas, his dogs bark in the middle of the night because of the cats fighting outdoors and this keeps his children up at night.

Town Manager stated that if this passes in second reading, the Town may put up a temporary deterrent in that area to prevent people from feeding the cats, like a fence.

On roll call, the following vote ensued:

Mayor Singer	<u>Absent</u>
Vice Mayor Isackson-Rojas	<u>Nay</u>
Councilmember Einstein	<u>Aye</u>
Councilmember Lusskin	<u>Aye</u>
Councilmember Bernstein	<u>Aye</u>

The motion passed.

N. QUASI JUDICIAL RESOLUTIONS

None

O. CONSENT AGENDA

3. **Minutes of the June 19, 2012 Regular Town Council Meeting**
4. **A Resolution of the Town Council Authorizing the Donation of One Surplus Police Vehicle from the Town's Vehicle Fleet.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE DONATION OF ONE SURPLUS POLICE VEHICLE FROM THE TOWN'S VEHICLE FLEET; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 4
Resolution No. 2253.12

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2253.12

5. **A Resolution of the Town Council Supporting the Central Everglades Planning Project for the Restoration of the Central Everglades.**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, SUPPORTING THE CENTRAL EVERGLADES PLANNING PROJECT FOR THE RESTORATION OF THE CENTRAL EVERGLADES; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 5
Resolution No. 2254.12

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2254.12

Consensus vote was 4 Ayes and 0 Nays. Items O3-O5 pass.

P. TOWN RESOLUTIONS

6. **A Resolution of the Town Council Renewing the Agreement for a Comprehensive Health Insurance Plan for the Benefit of the Town of Golden Beach Employees.**

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, RENEWING THE AGREEMENT FOR A COMPREHENSIVE HEALTH INSURANCE PLAN FOR THE BENEFIT OF THE TOWN OF GOLDEN BEACH

EMPLOYEES AND ELIGIBLE DEPENDENTS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 6
Resolution No. 2255.12

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2255.12

A motion to approve was made by Councilmember Lusskin seconded by Councilmember Bernstein.

On roll call, the following vote ensued:

Mayor Singer	<u>Absent</u>
Vice Mayor Isackson-Rojas	<u>Aye</u>
Councilmember Einstein	<u>Aye</u>
Councilmember Lusskin	<u>Aye</u>
Councilmember Bernstein	<u>Aye</u>

The motion passed.

Town Manager stated that because the Town is part of the Florida League of Cities, Florida Municipal Insurance Trust, the rates went up by 2.96%. Administration requesting approval to stay with the current coverage.

7. A Resolution of the Town Council Renewing the Agreements for a Dental Insurance and a Vision Insurance Plan for the Benefit of the Town of Golden Beach Employees.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, RENEWING THE AGREEMENTS FOR A DENTAL INSURANCE AND A VISION INSURANCE PLAN FOR THE BENEFIT OF THE TOWN OF GOLDEN BEACH EMPLOYEES AND ELIGIBLE DEPENDENTS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 7
Resolution No. 2256.12

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2256.12

A motion to approve was made by Councilmember Lusskin seconded by Councilmember Einstein.

On roll call, the following vote ensued:

Mayor Singer	<u>Absent</u>
Vice Mayor Isackson-Rojas	<u>Aye</u>
Councilmember Einstein	<u>Aye</u>
Councilmember Lusskin	<u>Aye</u>
Councilmember Bernstein	<u>Aye</u>

The motion passed.

Town Manager stated that there is only a 5% increase in the program.

8. A Resolution of the Town Council Approving the Use of Contingency Funds to Pay for an Emergency Repair to the Public Works Department's Roof.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, APPROVING THE USE OF CONTINGENCY FUNDS TO PAY FOR AN EMERGENCY REPAIR TO THE PUBLIC WORKS DEPARTMENT'S ROOF IN AN AMOUNT NOT TO EXCEED \$21,150; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 8
Resolution No. 2257.12

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2257.12

A motion to approve was made by Councilmember Lusskin seconded by Councilmember Einstein.

On roll call, the following vote ensued:

Mayor Singer	<u>Absent</u>
Vice Mayor Isackson-Rojas	<u>Aye</u>
Councilmember Einstein	<u>Aye</u>
Councilmember Lusskin	<u>Aye</u>
Councilmember Bernstein	<u>Aye</u>

The motion passed.

Town Manager stated that anything that comes out of the contingency line item requires that the Council take action on it, that is why this item is coming before the Council.

9. A Resolution of the Town Council Authorizing Additional Work between the Town of Golden Beach and Iron Sky, Inc.

A RESOLUTION OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING AND APPROVING ADDITIONAL WORK PURSUANT TO THE AGREEMENT BETWEEN THE TOWN OF GOLDEN BEACH AND IRON SKY, INC. FOR AN INTEGRATED CCTV SECURITY CAMERA SYSTEM AND WIRELESS DATA NETWORK; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 9
Resolution No. 2258.12

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2258.12

A motion to approve was made by Councilmember Lusskin seconded by Councilmember Einstein.

On roll call, the following vote ensued:

Mayor Singer	<u>Absent</u>
Vice Mayor Isackson-Rojas	<u>Aye</u>
Councilmember Einstein	<u>Aye</u>
Councilmember Lusskin	<u>Aye</u>
Councilmember Bernstein	<u>Aye</u>

The motion passed.

Town Manager explained that when the original contract was approved, there was a provision in place for an additional \$100,000 of work. Administration thought it best to have one contractor, Iron Sky, Inc., perform all of the work. Thanked Steve Helfman and his firm for helping the Town do this as an add-on to the original Iron Sky agreement.

10. A Resolution of the Town Council Authorizing the Use of Law Enforcement Trust Fund (LETF) monies to for additional work on the Town's Closed Circuit Television System.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, AUTHORIZING THE USE OF LAW ENFORCEMENT TRUST FUND (LETF) MONIES FOR ADDITIONAL WORK ON THE TOWN'S CLOSED CIRCUIT TELEVISION (CCTV) SECURITY CAMERA SYSTEM TO BE USED BY THE TOWN'S POLICE DEPARTMENT; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 10
Resolution No. 2259.12

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2259.12

A motion to approve was made by Councilmember Lusskin seconded by Councilmember Einstein.

On roll call, the following vote ensued:

Mayor Singer	<u>Absent</u>
Vice Mayor Isackson-Rojas	<u>Aye</u>
Councilmember Einstein	<u>Aye</u>
Councilmember Lusskin	<u>Aye</u>
Councilmember Bernstein	<u>Aye</u>

The motion passed.

Town Manager stated that in order for the LETF funds to be used in the previous item, Council approval is required.

11. A Resolution of the Town Council Accepting the General Purpose Financial Statements and the Single Audit for Fiscal Year 2010-2011.

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF GOLDEN BEACH, FLORIDA, ACCEPTING THE GENERAL PURPOSE FINANCIAL STATEMENTS AND THE SINGLE AUDIT FOR FISCAL YEAR 2010/2011 ENDING SEPTEMBER 30, 2011 PREPARED BY KEEFE, MCCULLOUGH & CO., LLP; AND PROVIDING FOR AN EFFECTIVE DATE.

Exhibit: Agenda Report No. 11
Resolution No. 2260.12

Sponsor: Town Administration

Recommendation: Motion to Approve Resolution No. 2260.12

A motion to approve was made by Councilmember Lusskin seconded by Councilmember Einstein.

Town Manager spoke on this item. He stated that he has directed the Finance Director to have a zero balance by September 15th on the Town's due to/due froms from previous year allocations in the Town's funds. No management concerns were found by the audit. There were three insignificant findings, related to journal entries. The only recurring theme with the audit is that the Town's financial software should be upgraded. He is of the opinion that that investment does not seem like it would behoove the Town,

because once the CIP project is over the Town will return to basic book keeping. The auditors would like the Town to have a financial system that can print out the Town's encumbrances from one report. Last year, the Council authorized the Administration to borrow \$550,000 from the reserves to balance the fiscal year 2010/2011 budget. Not only did the Town not need to use that borrowed money, the Town was also able to save \$719,066. Bringing end of the year savings to residents to \$1.2-million, without having to decrease the level of service or the number of projects in Town.

On roll call, the following vote ensued:

Mayor Singer	<u>Absent</u>
Vice Mayor Isackson-Rojas	<u>Aye</u>
Councilmember Einstein	<u>Aye</u>
Councilmember Lusskin	<u>Aye</u>
Councilmember Bernstein	<u>Aye</u>

The motion passed.

Q. DISCUSSION & DIRECTION TO TOWN MANAGER

Mayor Glenn Singer:
None Requested

Vice Mayor Amy Isackson-Rojas:
None Requested

Councilmember Judy Lusskin:
None Requested

Councilmember Kenneth Bernstein:
None Requested

Councilmember Bernard Einstein:
None Requested

Town Manager Alexander Diaz

** Fiscal Year 2012/2013 Budget Presentation

Stated that it is extremely imperative that when the budget books go out to the Council – that the Council pay close attention to the funding and funding locations. The staff went through major changes to funding and funding locations, aligning services to match with the actual services the Town provides. The other adjustments that the Council will see is in the salary line items. The Mayor and Town Manager are proposing a 2.5% COLA to all of the Town's employees. There is also a drastic reduction to operating costs this year. The 2012-2013 budget has very little if any wiggle room, so if there is something the Council wants to address, they need to address it at the September 11th meeting. In order to balance the budget this year, all of the fat was cut out of the 2012-2013 budget.

NOTE: There will be two Budget meetings and Special Town Council Meetings in September. The meeting dates are requested for September 11th and September 24th at 7 p.m.

R. ADJOURNMENT:

A motion to adjourn the Council Meeting was made by Councilmember Einstein, seconded by Vice Mayor Rojas.

Consensus vote 5 Ayes 0 Nays. Motion passed.

The meeting adjourned at 8:40 p.m.

Respectfully submitted,

Lissette Perez
Lissette Perez
Town Clerk